



# COMMUNITY DEVELOPMENT SERVICES

## ENVIRONMENTAL MANAGEMENT DEPARTMENT

<http://www.edcgov.us/EMD/>

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2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5300  
(530) 642-1531 Fax

**LAKE TAHOE OFFICE:**

924 B Emerald Bay Rd.  
South Lake Tahoe, CA 96150  
(530) 573-3450  
(530) 542-3364 Fax

July 7, 2017

Sierra at Tahoe, Inc.  
1111 Sierra at Tahoe Rd.  
Twin Bridges, CA 95735  
Attn: Andrew Bray, Director of Operations

**RE: SIERRA AT TAHOE – MAIN LODGE WATER SYSTEM (PWS NO. 0900659)  
COMPLIANCE ORDER NO. 01\_39\_17R\_004\_0900659\_52**

Enclosed is the County of El Dorado, Environmental Management Local Primacy Agency Compliance Order No. 01\_39\_17R\_004\_0900659\_52 issued to the Sierra at Tahoe Main Lodge Water System. Please note there are certain deadlines associated with this Compliance Order.

Any person who is aggrieved by a compliance order issued by the El Dorado County LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the compliance order. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the compliance order. The date of issuance is the date when the El Dorado County LPA mails or serves a copy of the compliance order, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions, please contact Jeffrey Warren at (530) 621-7628 or by email [jeffrey.warren@edcgov.us](mailto:jeffrey.warren@edcgov.us), or Karen Bender at (530) 573-3453 or by email [karen.bender@edcgov.us](mailto:karen.bender@edcgov.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Warren", is written over a circular stamp or seal.

Jeffrey Warren, REHS  
Environmental Health Program Manager

Cc: Ali Rezvani, PE  
Enc.

**EL DORADO COUNTY  
COMMUNITY DEVELOPMENT SERVICES  
ENVIRONMENTAL MANAGEMENT DEPARTMENT**

**TO: SIERRA AT TAHOE - MAIN LODGE  
1111 SIERRA AT TAHOE ROAD  
TWIN BRIDGES, CA 95735**

**ATTN: ANDREW BRAY, DIRECTOR OF MOUNTAIN OPERATIONS  
SIERRA AT TAHOE SKI RESORT**

**COMPLIANCE ORDER FOR VIOLATION OF TITLE 22, CALIFORNIA CODE OF  
REGULATIONS**

**SECTION(s) 64678 COPPER ACTION LEVEL EXCEEDANCE**

**WATER SYSTEM NO: 0900659**

**COMPLIANCE ORDER NO: 01\_39\_17R\_004\_0900659\_52**

**ISSUE DATE: 07/07/2017**

Section 116655 of the California Health and Safety Code (CHSC) authorizes the issuance of a compliance order to a public water system for failure to comply with a requirement of the California Safe Drinking Water Act, California Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270 (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The County of El Dorado Community Development Services, Environmental Management Department (hereinafter "Department"), hereby issues a compliance order

to the **SIERRA AT TAHOE - MAIN LODGE** for violation of Title 22 of the California Code of Regulations ("CCR"), Section **64678(e) Copper action level exceedance**.

### STATEMENT OF FACTS

The **SIERRA AT TAHOE - MAIN LODGE** (System) is a NONTRANSIENT NONCOMMUNITY located in El Dorado County that supplies water to approximately 35 persons (employees) for domestic purposes. The System operates seasonally during the winter. This water system has concerns with pH of the water and thus uses a calcite treatment process to increase the pH of the water. The water system had been operated as a Transient Noncommunity system until it was changed to a Nontransient Noncommunity system in 2015 due to the number of employees who worked at the Main Lodge for 6 months in a year.

Samples collected for copper concentration for MAIN LODGE , based upon samples collected on 10/30/2015, 4/21/2016, 10/28/2016 and 5/12/2017 exceeded the copper action level of 1.3 mg/L. Refer to Table 1 below for specific results.

Table 1 Copper Levels by date and location in milligrams per liter (mg/L)

Exceedances are noted by red color text

<i>Sample Location</i>	<i>10/30/2015</i>	<i>4/21/2016</i>	<i>10/28/2016</i>	<i>5/12/2017</i>
<i>Upper shop</i>	<i>0.12 mg/L</i>	<i>0.84 mg/L</i>	<i>0.142 mg/L</i>	<i>0.120 mg/L</i>



<i>Aspen Kitchen</i>	<i>0.607 mg/L</i>	<i>3.45 mg/L</i>	<i>1.43 mg/L</i>	<i>1.180 mg/L</i>
<i>Fountain, Main</i>	<i>1.770 mg/L</i>	<i>1.52 mg/L</i>	<i>1.16 mg/L</i>	<i>2.140 mg/L</i>
<i>Admin 3<sup>rd</sup> floor</i>	<i>1.920 mg/L</i>	<i>1.71 mg/L</i>	<i>1.17 mg/L</i>	<i>1.550 mg/L</i>
<i>Fountain, Pub</i>	<i>2.170 mg/L</i>	<i>1.45 mg/L</i>	<i>3.0 mg/L</i>	<i>3.250 mg/L</i>
<i>90<sup>th</sup> Percentile</i>	<i>2.045 mg/L</i>	<i>2.595 mg/L</i>	<i>2.215 mg/L</i>	<i>2.695 mg/L</i>

Per Section 64678(e) of the CCR, public water systems must comply with the action level for copper, not to exceed 1.3 mg/L.

On December 29, 2015 the Department sent a letter to the System informing it of the action level exceedance. The directives given included completing two rounds of Water Quality Parameter monitoring, due by April 30, 2016 and again by October 30, 2016.

The water system completed the monitoring which showed continued exceedance of the copper action level. Monitoring for lead and copper at the source was also required by April 30, 2016 and in distribution system by April 30, 2016 and October 30, 2016.

The Department also directed the System to start preparing to submit a written recommendation for corrosion control by April 30, 2016.

The State Water Resources Control Board provided recommendations for the System on December 14, 2016 which were passed along to the System on December 22, 2016. The System subsequently implemented one of the options to slow down the rate of the filtration through the limestone (calcite) in order to allow for greater contact time and

thus help remove copper from the water. Subsequent testing on May 12, 2017 showed that the copper action level was at the highest level since October 30, 2015.

### **APPLICABLE AUTHORITIES**

**CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271 (k)(2) states:**

(k)(2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625) and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650).

**CSHC, Division 104, Part 12, Chapter 4, Article 1, Section 116275 (b) & (ab) states:**

(b) "Department" means the state board.

(ab) "State board" means the State Water Resources Control Board.

**CHSC, Division 104, Part 12, Section 116330(a) states:** The department may delegate primary responsibility for the administration and enforcement of this chapter within a county to a local health officer authorized by the board of supervisors to assume these duties, by means of a local primacy delegation agreement if the local health officer demonstrates that it has the capability to meet the local primacy program

requirements established by the department pursuant to subdivision (h) of Section 116375.

**CHSC, Section 116655 states in relevant part:**

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.



**California Code of Regulations, Title 22, Section 64678(e) & (f)(4) Copper Action**

**Level Exceedance states in relevant part:** (e) The copper action level is exceeded if the concentration of copper in more than 10 percent of the tap water samples collected during any period is greater than 1.3 mg/L (i.e. if the 90<sup>th</sup> percentile copper level is greater than 1.3 mg/L).

(f)(4) Compliance with the 90<sup>th</sup> percentile copper action level shall be determined by taking the average of the highest and second highest concentrations.

**DETERMINATIONS**

Based on the Statement of Facts, it has been determined that the System violates Section 116555 of the HSC and Section 64678(e) of the CCR; in that the water produced by the System's MAIN LODGE exceeds the Action Level for copper.

**DIRECTIVES**

The System is hereby directed to take the following actions:

1. On or before September 1, 2017, conduct a second round of Water Quality Parameter (WQP) sampling.
2. On or before September 1, 2017, provide a written recommendation for review and approval to the Department for Corrosion Control Treatment (CCT) in accordance with Section 65673(c)(3), Article 2, Chapter 17.5, Division 4, Title 22 of the CCR.
3. On or before December 1, 2017, implement the approved Corrosion Control Treatment as noted above.

4. Continue to sample for lead and copper every 6 months until copper levels fall below the Action Level. Sampling will be due by December 31, 2017 and every 6 months thereafter (in 2018, sampling will be due by end of June and end of December)
5. Notify the Department in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if the Water System anticipates it will not timely meet such performance deadline.

All submittals required by this Compliance Order shall be submitted to the following address:

Jeffrey Warren, REHS  
Environmental Management Programs Manager  
El Dorado County Community Development Services  
Environmental Management Department  
2850 Fairlane Ct.  
Placerville, CA 95667  
(email: [jeffrey.warren@edcgov.us](mailto:jeffrey.warren@edcgov.us))

The Department reserves the right to make such modifications to this Compliance Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Compliance Order, and shall be deemed effective upon issuance.

Nothing in this Compliance Order relieves Water System of its obligation to meet the requirements of the California Safe Drinking Water Act (SDWA), or of any regulation, permit, standard, or order issued or adopted thereunder.



## **PARTIES BOUND**

This Compliance Order shall apply to and be binding upon the **SIERRA AT TAHOE - MAIN LODGE**, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

## **SEVERABILITY**

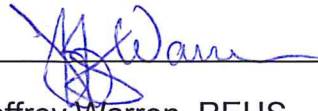
The directives of this Compliance Order are severable, and the **SIERRA AT TAHOE - MAIN LODGE** shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

## **FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Department to: issue a compliance order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Department to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Department; and to petition the Superior Court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Department. The Department does not waive any further enforcement action by issuance of this compliance order.

7/7/17

Date



Jeffrey Warren, REHS  
Environmental Management Program Manager  
El Dorado County  
Community Development Services  
Environmental Management Department

Attachments:

None

cc: Ali R. Rezvani, P.E.  
Sacramento District Engineer  
Division of Drinking Water  
State Water Resources Control Board

Austin Peterson, P.E.  
Sacramento District Engineer  
Division of Drinking Water  
State Water Resources Control Board